



DISABILITY AND COMMUNICATION ACCESS BOARD

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INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-217, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: **DCAB 2004-16:** Side reach over obstruction: counter height indicated as 34 inches maximum. Fair Housing Act Design Manual, 1998 updated, indicates 36 inches maximum with counter top depth at 25-1/2 inches - see page 5.8. We request an interpretive opinion on the maximum height and depth of obstruction for side reach conditions.

Summary: The "Fair Housing Act Accessibility Guidelines" (FHAAG), Requirement #5, Figure 2, published March 6, 1991, addresses a side reach range which allows a maximum 34 inch height and a 24 inch depth over an obstruction. Whereas the U.S. Department of Housing and Urban Development (HUD) in addition to this requirement, also provides the "Fair Housing Act Design Manual" published August 1996, revised April 1998, that allows a maximum 36 inch height and a 25-1/2 inch depth for countertops as indicated in Chapter 5 on page 8. HUD permits the use of a standard 24-inch deep cabinet with an additional extension of 1 to 1-1/2 inches for countertops for a maximum depth of 25-1/2 inches. In the illustration on page 8, the countertop is shown at the typical kitchen height of 36 inches. The drawing in the Guidelines (taken from ANSI Figure 6(c)), on which this drawing is based, gives this dimension as 34 inches. The 34-inch dimension shown in the Guidelines is in no way intended to dictate counter heights in covered dwelling units. The interpretive opinion has asked if the additional provision for the side reach range found in the Fair Housing Act Design Manual may be allowed in conjunction the "Fair Housing Act Accessibility Guidelines (FHAAG), Requirement 5 Figure 2", for public housing projects subject to the HRS§103-50 review process.

Ruling: For buildings or facilities subject to HRS § 103-50,

FHAAG: Requirement #5.

A 36-inch high maximum counter top height and a 25-1/2 inch maximum depth for a counter top is acceptable in meeting HUD's Requirement #5 of the Fair Housing Act Accessibility Guidelines for public housing projects subject to the requirements of HRS§ 103-50.

[Rul: 07/04] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call 586-8121.

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